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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,256	08/15/2003	Wei Yuan	P1028 (16221RRUS02)	1538
7590 03/02/2007 D. Scott Hemingway Storm & Hemingway, LLP Preston Commons West, Suite 460 8117 Preston Rd. Dallas, TX 75225			EXAMINER TOLENTINO, RODERICK	
			ART UNIT 2134	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			03/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/642,256	Applicant(s) YUAN, WEI	
	Examiner Roderick Tolentino	Art Unit 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 15 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>11/24/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 – 20 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 – 13 and 15 – 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Trossen et al. U.S. PG-Publication No. (2003/0212764).
4. As per claim 1, Trossen discloses a firewall on the communication network gateway for securing communications to and from the network (Trossen, Paragraph 0024), a communication device on the communication network connected to the firewall by a communication link (Trossen, Paragraph 0007, mobile node) a trusted entity linked to the firewall by a communication link (Trossen, Paragraph 0007, Content sources), said link allowing information packets to be sent to a first communication pinhole through the firewall to the communication device and said trusted entity replacing an address designation in the address header of one of said information packets with an address designation for the first communication pinhole so the information packet can

be transmitted through said pinhole to said communication device (Trossen, Paragraph 0024, pinhole is created in the firewall with use of IP-Level Handoff).

5. As per claim 2, Trossen discloses the first communication pinhole is established using signaling messages transmitted through the firewall (Trossen, Paragraph 0024, Signaling protocols).

6. As per claim 3, Trossen discloses the signaling messages include a create pinhole message (Trossen, Paragraph 0024).

7. As per claim 4, Trossen discloses the signaling messages include a create pinhole acknowledge message (Trossen, Paragraph 0024, confirmation messages).

As per claim 5, Trossen discloses the trusted entity is a media proxy router (Trossen, Paragraph 0024, New access router).

8. As per claim 6, Trossen discloses the trusted entity includes a component with a software functional switch (Trossen, Paragraph 0024, New access router).

9. As per claim 7, Trossen discloses the communication network includes an application server on the communication link between the firewall and the communication device (Trossen, Paragraph 0007, Content sources).

10. As per claim 8, Trossen discloses receiving a create pinhole request at a trusted entity linked to the firewall of the communication network and located outside the communication network (Trossen, Paragraph 0024, RSVP protocol), creating a pinhole communication port in the firewall in response to the create pinhole request, receiving a first information packet at the trusted entity to be transmitted across the firewall through said pinhole, replacing an address in the information packet address header information

with a communication port address for a pinhole created in the firewall (Trossen, Paragraph 0008, IP-Level Handoff), and forwarding the information packet to a destination address across the firewall using the communication port address for the pinhole communication port (Trossen, Paragraph 0024).

11. As per claim 9, Trossen discloses creating a communication port address routing table association on the trusted entity for designated pinhole ports in the firewall using address data from the create pinhole request (Trossen, Paragraph 0008, IP-Level Handoff).

12. As per claims 10 and 11, Trossen discloses transmitting said create pinhole request from the end-terminal to the trusted entity (Trossen, Paragraph 0024, RSVP protocol), and receiving a create media pinhole acknowledgement at the end-terminal containing the communication port address (Trossen, Paragraph 0024, Confirmation message).

13. As per claim 12, Trossen discloses the application server is a session initiation protocol proxy server (Trossen, Paragraph 0017, SIP protocol usage).

14. As per claim 13, Trossen discloses the application server is an integrated access device (Trossen, Paragraph 0007, Content sources are integrated access devices along with mobile terminals).

15. As per claim 15, Trossen discloses providing a trusted entity having an input and an output outside the communication network, linking said trusted entity to the pinhole communication port (Trossen, Paragraph 0024), transmitting a first signal from the communication network to the input of the trusted entity, wherein said signal has an

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address designation for said pinhole communication port (Trossen, Paragraph 0008, IP-Level Handoff) providing a routing table on the trusted entity with the address designations for the pinhole communication port (Trossen, Paragraph 0008, IP-Level Handoff), receiving a packet transmission at the input of the trusted entity to be sent to a communication device inside the communication network; placing the address designation for the pinhole communication port as the address header of the packet transmission and transmitting the packet transmission from the output of the trusted entity to the pinhole communication port for transmission onto the communication device (Trossen, Paragraph 0024, pinhole is created in the firewall with use of IP-Level Handoff).

16. As per claim 16, Trossen discloses transmitting a second signal from the output of the trusted entity containing the address designation of the communication port, wherein said second signal acknowledges receipt of the first signal (Trossen, Paragraph 0024, Signaling protocols).

17. As per claim 17, Trossen discloses receiving the second signal at the communication device (Trossen, Paragraph 0024, Signaling protocols).

18. As per claim 18, Trossen discloses receiving the second signal at a server on the communication network (Trossen, Paragraph 0025, message to content source).

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 14, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trossen et al. U.S. PG-Publication No. (2003/0212764) in view of Wu et al. U.S. PG-Publication No. (2003/0212809).

21. As per claim 14, Trossen fails to teach the application server is an application proxy server. However, in an analogous art Wu teaches the application server is an application proxy server (Wu, Paragraph 0038).

At the time the invention was made it would have been obvious to use Wu's real time streaming media communication system with Trossen's relocation of content sources during IP-level handoffs because it offers the advantage of allowing clients to make indirect network connections to other network services.

22. As per claim 19, Trossen fails to teach the transmission packet contains voice data. However, in an analogous art Wu teaches the transmission packet contains voice data (Wu, Paragraph 0036, audio).

At the time the invention was made it would have been obvious to use Wu's real time streaming media communication system with Trossen's relocation of content sources during IP-level handoffs because it offers the advantage of streaming data to remote end points (Wu, Paragraph 0031).

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23. As per claim 20, Trossen fails to teach the transmission packet is a real time transport protocol information packet. However, in an analogous art Wu teaches the transmission packet is a real time transport protocol information packet (Wu, Paragraph 0036, real-time stream).

At the time the invention was made it would have been obvious to use Wu's real time streaming media communication system with Trossen's relocation of content sources during IP-level handoffs because it offers the advantage of streaming data to remote end points (Wu, Paragraph 0031).

Conclusion

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roderick Tolentino whose telephone number is (571) 272-2661. The examiner can normally be reached on 8:00am - 5:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Roderick Tolentino

Roderick Tolentino
Examiner
Art Unit 2134


KAMBIZ ZAND
PRIMARY EXAMINER